

EXECUTIVE SECRETARIAT**Routing Slip**

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Remarks:

Executive Secretary

9/1/83
Date

2637 (10-81)



United States Department of State

Washington, D.C. 20520

August 31, 1983

Executive Registry

83-3964/2

UNCLASSIFIED WITH REMOVAL
OF CONFIDENTIAL ATTACHMENT
MEMORANDUM

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TO:	NSC	- Mr. Robert Kimmitt-----8326451
	CIA	
	Commerce	- Mrs. Helen Robbins-----8326453
	Defense	- Col. John Stanford-----8326454
	Energy	- Mr. William Vitale-----8326455
	EPA	- Mr. Fitz Hugh Green-----8326456
	Interior	- Mr. Barry Allbright-----8326457
	JCS	- LTC Dennis Stanley-----8326458
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	OPD	- Mr. Edwin Harper-----8326462
	Transportation	- Mr. Logan H. Sallada-----8326463
	Treasury	- Mr. David Pickford-----8326464
	UNA	- Amb. Harvey Feldman-----8326465

SUBJECT: IG Meeting August 15, 1983 on Dumping

The following is a statement of the conclusion reached at the August 15 IG Meeting which provides more detail on each issue than the summary statement dated August 16.

Charles Hill
 Charles Hill
 Executive Secretary

Attachment:

As stated.

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-- The IG agreed in principle that coastal State jurisdiction in the EEZ extends to "dumping," but that the exercise of such jurisdiction must be consistent with international law and that the term dumping would have to be defined and qualified carefully, so as to avoid any spillover concerning freedoms of navigation, non-resource-related activities on the continental shelf, etc.

-- Intergovernmental consultations and delegation instructions for the November, 1983, meeting of experts on the draft Convention for the Protection and Development of the Natural Resources and Environment of the South Pacific Region will reflect U.S. recognition of coastal State jurisdiction over dumping, as qualified above.

-- The U.S. delegation to the South Pacific meeting will not accept language in the Convention banning dumping in the Convention area, however the area is defined.

-- A working group will be convened to examine the advisability of amending domestic law to extend U.S. enforcement authority over foreign dumping in the EEZ to the extent permitted by international law. The working group will develop appropriate language and make recommendations as to the most appropriate timing and mechanism for such action. The IG agreed that many serious issues were involved, and that all would require careful and deliberate consideration. The IG acknowledged the possibility that, on balance, amendments might not prove advantageous to the U.S. at this time, and no timetable was established for completion of the working group's analysis.

-- The U.S. delegation to the December meeting of legal experts on sub-seabed disposal of high-level radioactive wastes and capping of highly contaminated dredged material with clear sediments at sea should indicate the importance it attaches to research on these subjects. It should support the continuation of such research to determine the technical feasibility and risk to the environment of those methods of disposal.

State will prepare the necessary papers for interagency review and clearance.

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DECL: 8/30/89